

# EXHIBIT 2

**From:** [Damitio, Chris](#)  
**To:** [Donald McPhail](#)  
**Cc:** [Geyer, Kate](#); [matthew@dclglawyers.com](#); [Eric W. Schweibenz](#); [Machleidt, Dario](#); [echad@merchantgould.com](#)  
**Subject:** RE: Valve v. Rothschild, et al. - Letter Regarding Defendants' Discovery Deficiencies  
**Date:** Monday, November 11, 2024 3:47:51 PM  
**Attachments:** [image001.png](#)

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Don,

I am following up on Dario's email. Defendants did not provide any of the documents or information you stated would be provided by November 8th. Please provide the following documents and information listed in Dario's email today, or confirm that you no longer intend to provide it:

1. Supplemental responses to Interrogatory Nos. 1 and 2
2. Production of responsive physical documents
3. Response to Valve's discovery deficiency letters
4. Hit counts on Defendants' original proposed search terms
5. Search capabilities for Defendants' custodians

Many thanks,  
Chris

Chris Damitio  
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**From:** Machleidt, Dario <[dmachleidt@ktslaw.com](mailto:dmachleidt@ktslaw.com)>  
**Sent:** Thursday, October 31, 2024 1:10 PM  
**To:** Donald McPhail <[dmcpahil@merchantgould.com](mailto:dmcpahil@merchantgould.com)>  
**Cc:** Damitio, Chris <[CDamitio@ktslaw.com](mailto:CDamitio@ktslaw.com)>; Geyer, Kate <[KGeyer@ktslaw.com](mailto:KGeyer@ktslaw.com)>;  
[matthew@dclglawyers.com](mailto:matthew@dclglawyers.com); Eric W. Schweibenz <[eschweibenz@merchantgould.com](mailto:eschweibenz@merchantgould.com)>  
**Subject:** RE: Valve v. Rothschild, et al. - Letter Regarding Defendants' Discovery Deficiencies

Dear Don,

This email summarizes our discussion regarding the discovery deficiencies Valve raised in its October 16 letter.

On the meet and confer, Defendants confirmed that, by November 8, they will: (1) supplement their responses to Interrogatory Nos. 1 and 2; (2) begin producing physical documents responsive to Valve's discovery requests; and (3) respond to Valve's discovery deficiency letters.

Defendants also agreed that they would run the search terms Defendants previously suggested and provide hit counts to assist Valve in crafting additional search terms. In addition, please clarify whether any of the custodians or systems (Mr. Falcucci, Mr. Rothschild, and Mr. Meyler) have different search capabilities with respect to Boolean searches and any limitations to those capabilities.

Finally, Defendants confirmed that they are not currently withholding any responsive

documents on the basis of privilege and, going forward, intend to waive all privilege objections. To the extent that Defendants choose not to waive privilege over certain documents, they agreed to notify Valve to work through any issues.

Please let us know if you disagree with our recollection of any of the above discovery-related issues the parties discussed this week.

Thank you.

Sincerely,

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**From:** Geyer, Kate <[KGeyer@ktslaw.com](mailto:KGeyer@ktslaw.com)>  
**Sent:** Wednesday, October 16, 2024 5:10 PM  
**To:** Donald McPhail <[dmcphail@merchantgould.com](mailto:dmcphail@merchantgould.com)>; Eric W. Schweibenz <[eschweibenz@merchantgould.com](mailto:eschweibenz@merchantgould.com)>; [matthew@dclglawyers.com](mailto:matthew@dclglawyers.com)  
**Cc:** Machleidt, Dario <[dmachleidt@ktslaw.com](mailto:dmachleidt@ktslaw.com)>; Damitio, Chris <[CDamitio@ktslaw.com](mailto:CDamitio@ktslaw.com)>  
**Subject:** Valve v. Rothschild, et al. - Letter Regarding Defendants' Discovery Deficiencies

Counsel:

Please see the attached correspondence.



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